

AM7221
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E & R AMENDMENTS TO LB 1231

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 "Section 1. Section 12-1301, Revised Statutes
4 Supplement, 2002, is amended to read:

5 12-1301. (1) The Director of Veterans' Affairs may
6 establish and operate a state veteran cemetery system consisting of
7 a facility in Box Butte County, a facility in Sarpy County, and the
8 Nebraska Veterans' Memorial Cemetery in Hall County. The director
9 may seek and expend private, state, and federal funds for the
10 establishment, construction, maintenance, administration, and
11 operation of the cemetery system as provided in this section. Any
12 gift, bequest, or devise of real property for the cemetery system
13 shall be subject to the approval requirements of section 81-1108.33
14 notwithstanding the value of the real property. All funds received
15 for the construction of the cemetery system shall be remitted to
16 the state treasurer for credit to the Veteran Cemetery ~~Maintenance~~
17 Construction Fund. No revenue from the General Fund shall be
18 remitted to the Veteran Cemetery Construction Fund for use in the
19 construction of the state veteran cemetery system. Any funds
20 remaining in the Veteran Cemetery Construction Fund following the
21 completion of construction of the three facilities comprising the
22 state veteran cemetery system shall upon such completion be
23 transferred to the Nebraska Veteran Cemetery System Endowment Fund
24 and the Veteran Cemetery Construction Fund shall thereafter

1 terminate.

2 (2) (a) A trust fund to be known as the Nebraska Veteran
3 Cemetery System Endowment Fund is hereby created. The fund shall
4 consist of:

5 (i) Gifts, bequests, grants, or contributions from
6 private or public sources designated for the maintenance,
7 administration, or operation of the state veteran cemetery system;

8 (ii) Any funds transferred from the Veteran Cemetery
9 Construction Fund following the completion of construction of the
10 three facilities comprising the state veteran cemetery system; and

11 (iii) Following the termination of the Veteran Cemetery
12 Construction Fund, any funds received by the state from any source
13 for the state veteran cemetery system.

14 (b) No revenue from the General Fund shall be remitted to
15 the Nebraska Veteran Cemetery System Endowment Fund. The
16 Legislature shall not appropriate or transfer money from the
17 Nebraska Veteran Cemetery System Endowment Fund for any purpose
18 other than as provided in this section. Any money in the Nebraska
19 Veteran Cemetery System Endowment Fund available for investment
20 shall be invested by the state investment officer pursuant to the
21 Nebraska Capital Expansion Act and the Nebraska State Funds
22 Investment Act. Only the earnings of the Nebraska Veteran Cemetery
23 System Endowment Fund may be used as provided in subsection (3) of
24 this section. All investment earnings from the Nebraska Veteran
25 Cemetery System Endowment Fund shall be credited on a quarterly
26 basis to the Nebraska Veteran Cemetery System Operation Fund.

27 (3) There is hereby created the Nebraska Veteran Cemetery

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1 System Operation Fund. Money in the fund shall be used for the
2 operation, administration, and maintenance of the state veteran
3 cemetery system. Any money in the fund available for investment
4 shall be invested by the state investment officer pursuant to the
5 Nebraska Capital Expansion Act and the Nebraska State Funds
6 Investment Act. No revenue from the General Fund shall be remitted
7 to the Nebraska Veteran Cemetery System Operation Fund.

8 (4) The director may make formal application to the
9 federal government regarding federal financial assistance for the
10 construction of the three facilities comprising the state veteran
11 cemetery system when sufficient funds have been remitted to the
12 Nebraska Veteran Cemetery System Endowment Fund such that (a) the
13 projected annual earnings from such fund available for transfer to
14 the Nebraska Veteran Cemetery System Operation Fund in each of the
15 succeeding five years plus (b) the projected annual value of formal
16 agreements that have been entered into between the state and any
17 political subdivisions or private entities to subsidize or
18 undertake the operation, administration, or maintenance of any of
19 the facilities within the state veteran cemetery system, has a
20 value that is equal to or exceeds one hundred twenty-five percent
21 of the projected annual cost of the operation, administration, and
22 maintenance of the three facilities comprising the state veteran
23 cemetery system in each of the succeeding five years. The director
24 may expend such funds as may be available for any of the purposes
25 authorized in this section.

26 (5) The director, with the approval of the Governor, may
27 enter into agreements for cemetery construction, administration,

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1 operation, or maintenance with qualified persons or business
2 entities. The director shall provide lots in the cemetery system
3 for the interment of deceased veterans with an honorable discharge
4 or its equivalent and their spouses, minor children, and unmarried
5 adult children who were physically or mentally disabled and
6 incapable of self-support. Section 12-501 does not apply to the
7 state veteran cemetery system.

8 (6) The Veteran Cemetery ~~Maintenance~~ Construction Fund is
9 created. Any money in the fund available for investment shall be
10 invested by the state investment officer pursuant to the Nebraska
11 Capital Expansion Act and the Nebraska State Funds Investment Act.

12 (7) The Nebraska Veterans Cemetery Advisory Board is
13 created. The board shall consist of seven members. One member
14 shall be the director who shall serve as the chairperson of the
15 board. Three members of the board shall be veterans appointed by
16 the Governor from a list of candidates forwarded by the county
17 board of each county within which a state veteran cemetery system
18 facility is located. Three members with experience in cemetery
19 administration or operation, one from each congressional district,
20 shall be appointed by the Governor. The members of the board shall
21 receive no compensation but shall be reimbursed for their actual
22 and necessary expenses in the discharge of their duties as provided
23 in sections 81-1174 to 81-1177. The board shall meet from time to
24 time as requested by the director to review the status of the state
25 veteran cemetery system, to recommend actions to facilitate the
26 development of the system, to assist in fundraising from public or
27 private sources for the construction, operation, administration,

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1 and maintenance of the system, and to advise the director on the
2 most appropriate actions for the state to undertake in the
3 development of the system and the priorities for action.

4 (8) The director may adopt and promulgate rules and
5 regulations to carry out this section. The rules and regulations
6 shall include requirements for proof of residency, cost of burial
7 if any, and standards for cemeteries, including decorations and
8 headstones.

9 Sec. 2. Original section 12-1301, Revised Statutes
10 Supplement, 2002, is repealed.".

11 2. On page 1, line 3, after the semicolon insert "to
12 rename and create funds;".